



**MEMO ENDORSED**

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December 7, 2020

**BY ECF**

Honorable Katherine Polk Failla  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: Michael Taylor v. City of New York, et al.  
19 Civ. 6754 (KPF) (HBP)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department, and the attorney assigned to the defense of the above-referenced matter. Defendants City of New York, Richard Alvarez, Anthony Chow, Fernando Bonilla, and Thomas Fabrizi ("City Defendants") write to inform the Court that plaintiff has not complied with the Court's November 9, 2020 Order instructing him to provide defendants with certain authorizations and information and to respectfully request that Your Honor order plaintiff to provide the previously so ordered authorizations and information by a date certain.

Presently, discovery in this matter is set to close on December 21, 2020. By way of background, on October 21, 2020, plaintiff filed a motion for reconsideration of the Court's October 13, 2020 Order directing him to respond to certain of defendants' discovery demands. (ECF No. 31) On October 27, 2020, defendants filed their opposition to defendants' motion for reconsideration. (ECF No. 35) On November 9, 2020, the Court issued an Order granting plaintiff's motion in part and denying in part. (ECF No. 36) Specifically, the Court ordered plaintiff to provide defendants with authorizations for plaintiff's: (1) criminal records sealed pursuant to C.P.L. 160.50; (2) parole records; (3) unemployment records; (4) income tax returns for the past five (5) years; and (5) medical and psychological treatment for the past five (5) years. Additionally, plaintiff was directed to identify all medical providers who have rendered treatment to him in the past ten (10) years.

Defendants contacted plaintiff by email on November 13, 2020, to inquire into the status of the production of the so ordered authorizations and information. To date, plaintiff has not responded to defendants' inquiry or provided any responsive documents or information. Given the approaching discovery deadline, defendants are not in a position to complete discovery, including conducting plaintiff's deposition, without the underlying documents for which defendants are still awaiting executed authorizations.

Based on the foregoing, defendants respectfully request that Your Honor order plaintiff to provide the authorizations and information that the Court so ordered on November 9, 2020 by a date certain.

Thank you for your consideration herein.

Respectfully submitted,

Laura Iheanachor /s

Laura Iheanachor  
Assistant Corporation Counsel

cc: Samuel C. DePaola, Esq. (By ECF)  
*Attorney for Plaintiff*

The Court is in receipt of Defendants' letter dated December 7, 2020. (Dkt. #37). To date, Plaintiff has not filed a response. Defendants' motion is GRANTED. To the extent Plaintiff is still not in compliance with the Court's Order dated November 9, 2020 (Dkt. #36), Plaintiff is hereby ORDERED to comply by January 15, 2021. Plaintiff is cautioned that failure to comply will be viewed through the lens of the Court's contempt powers, and may result in sanctions, including dismissal.

Dated: December 11, 2020  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE